

REMARKS

Reconsideration of the above-identified patent application in view of the present amendment and the following remarks is respectfully requested.

Claims 8 and 13-18 stand rejected as being obvious under 35 U.S.C. §103 over Fukuda, JP 2000-16228, in view of Yoshida, 6,786,505. Claims 13-16 stand rejected as being obvious under 35 U.S.C. §103 over Fischer, DE 10146493, in view of Buchanan, US 5,603,526.

The M.P.E.P. sets forth the criteria for a rejection for obviousness as follows:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure.

See, MPEP § 706.02(j) *citing In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Regarding claims 8 and 13, neither Fukuda nor Yoshida teaches or suggests a portion of a steering wheel that blocks inflation fluid from venting through a vent opening when an inflatable vehicle occupant protection device is in an inflated position. Fukuda teaches vent holes 38a and 38b that open when the pressure of the gas in the air bag reaches a fixed value. (Fukuda, Abstract). There is no teaching or suggestion in Fukuda of a portion of the steering wheel blocking inflation

fluid from venting through a vent opening when the air bag is in an inflated position. Yoshida also fails to teach or suggest a portion of the steering wheel that blocks inflation fluid from venting through a vent opening when the air bag is in an inflated position. Since neither Fukuda nor Yoshida teaches or suggests a portion of the steering wheel that blocks inflation fluid from venting through a vent opening when an inflatable vehicle occupant protection device is in an inflated position, a combination of the references also fails to teach or suggest this feature.

Additionally, if a proposed combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claim *prima facie* obvious.

MPEP §2143.02. Further, if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. MPEP §2143.02.

There is no suggestion or motivation in Fukuda, Yoshida, or within the knowledge of one having ordinary skill in the art to combine the teachings of Fukuda and Yoshida. The purpose of the vent holes 38a, 38b in Fukuda is to release inflation fluid pressure after the air bag is completely inflated and after the occupant impacts the air bag (Fukuda, Abstract). The purpose of Yoshida is to vent inflation fluid when inflation of the air bag is obstructed and to prevent the venting of inflation fluid after the air bag becomes completely inflated (Yoshida, Col. 6, lines 23-29; Col. 7, lines 3-20). There is no suggestion or motivation for modifying the air bag of Fukuda with the teachings of Yoshida, as such a modification would change the principle of operation of Fukuda and would also render Fukuda unsatisfactory for its

intended purpose (i.e., release inflation fluid pressure after the air bag is completely inflated (Fukuda, Abstract)).

Moreover, it is respectfully submitted that one of ordinary skill in the art would not be motivated to utilize the minimal, non-planar surfaces of a steering wheel to block inflation fluid from discharging through vent holes in an air bag. Only through reading applicant's disclosure and performing hindsight reconstruction could one of ordinary skill in the art find motivation to combine Fukuda and Yoshida.

Regarding claim 13, neither Fischer nor Buchanan disclose a vent positioned against a vehicle surface while the inflatable vehicle occupant protection device is in an inflated position and a rupturable member that ruptures when the vent is spaced away from the vehicle surface. The purpose of Fischer is to vent gas from the air bag when the vent is spaced away from the surface (Fig. 4). The purpose of Buchanan is to vent inflation fluid when inflation of the air bag is complete (Buchanan, Col. 4, lines 18-25).

There is no suggestion or motivation for modifying the air bag of Fischer with the teachings of Buchanan, as such a modification would change the principle of operation of Fischer and would also render Fischer unsatisfactory for its intended purpose (i.e., release inflation fluid pressure when the vent hole is spaced away from a surface (Fischer, Fig. 4)).

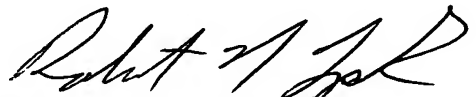
Again, it is respectfully submitted that one of ordinary skill in the art would not be motivated to restrict the vent holes of Fischer. Only through reading applicant's disclosure and performing hindsight reconstruction could one of ordinary skill in the art find motivation to combine Fischer and Buchanan.

Claims 8 and 13, as well as claims 14-18 which depend from claim 13, are in condition for allowance.

Allowance of the above-identified patent application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,



ROBERT N. LIPCSIK
Reg. No. 44,460

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
1300 East Ninth Street, Suite 1700
Cleveland, Ohio 44114
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294